

Appendix A

Scoping Comments

Table A-1. Issues Identified in Scoping

Scoping Issue	Response
Concern about increased truck traffic and accidents from ore shipments on narrow local roads.	Increases in truck traffic and accident rates are quantified under Section 5.2.
Request that all transportation routes be identified.	All reasonable routes for transporting ore from the lease tracts to the mills at White Mesa and Cañon City are shown on Figures 3-2 and 3-3.
Concern for human health from ore dust during transport to the mills.	Health consequences to miners, truck drivers, and the public are quantified in Section 5.16.
Concern for health risks to the public near uranium mill sites.	Milling operations and waste disposal were evaluated under site-specific U.S. Nuclear Regulatory Commission (NRC) NEPA documents and are performed under NRC licenses. Those issues are beyond the scope of this EA.
Concern about increasing waste volumes at the Cañon City milling site.	
Requested identification of air pollutants released by uranium mills.	Milling operations are performed under existing federal and state licenses and are beyond the scope of this EA (see above).
Concern that the 30-day comment period was insufficient for public participation.	The 30-day scoping period is consistent with that stipulated in DOE's NEPA regulations. The public will have additional opportunity to comment on the draft and final EA before DOE makes its decision.
Requested materials be made available in libraries.	Because of the large area potentially affected by lease tract development and transportation, DOE will be making relevant project information available through the project's website rather than incurring the cost for reproduction and mailing of information to libraries. Consistent with federal requirements, specific information requests will be reviewed on a case-by-case basis.
Concern about the final disposition and cost of wastes generated from mining or milling operations.	DOE lease agreements require the leaseholders to reclaim their operations in accordance with applicable federal, state, and local statutes, rules, and regulations, including those associated with mine-site reclamation. Past reclamation activities show that mine sites can be successfully reclaimed. In addition, DOE and the State of Colorado require reclamation performance bonds for each lease tract to cover the costs of mine-site reclamation. Milling operations are performed under existing federal and state licenses and are beyond the scope of this EA.
Miner safety and protective equipment requirements.	DOE lease agreements require leaseholders to conduct their operations in accordance with applicable federal, state, and local statutes, rules, and regulations, including those associated with worker protection.
Adverse environmental effects outweigh any benefits.	The purpose of this EA is to provide decision-makers with information on the environmental consequences of the proposed action. DOE will consider this information along with other relevant information in making its informed decision.
Energy Act of 2005 establishes nuclear power as part of the nation's future source of electricity, and therefore, access to DOE's managed lands is required.	Further clarification of DOE's responsibilities with regard to the uranium lease tracts is provided under Section 2.0, "Purpose and Need for Action."
Concern that all potentially affected parties were not notified of DOE's proposed action. Government needs to do a more comprehensive job of notifying and listening to everyone who might pay for, as well as benefit from, the lease program.	DOE placed announcements of this project in nine newspapers covering the readership from Cañon City to the White Mesa Mill and all towns and cities in the vicinity of the lease tracts. In addition, DOE mailed 70 news releases to appropriate federal, state, and local agencies, tribes, elected officials, libraries, and newspapers.

Table A-1 (continued). Issues Identified in Scoping

Scoping Issue	Response
Past experience with uranium mining and milling resulted in added costs to taxpayers for cleanup and compensation to workers for health effects.	Federal and state governments have learned from past experience and now require surety bonds sufficient to cover the cost of reclamation and apply regulations that protect the public and workers from exposures that could prove hazardous to their health.
Royalty payments to the government pale when compared to the costs of uranium mining and milling to the public and local governments.	Since 1974, DOE's lease agreements have contained provisions requiring the leaseholders to (1) obtain adequate reclamation performance bonds for their operations and (2) make production royalty payments to the government. The reclamation performance bonds required are, and have historically been, determined on a site-by-site basis. Since 1974, these bonds have been sufficient to ensure that the leaseholders operations are properly reclaimed. That requirement would continue for all future lease activities. Since 1974, DOE leases have generated approximately \$55 million in royalties to the government. These payments were deposited into the U.S. Treasury's general fund. These royalties did not specifically offset payments for the uranium workers compensation or directly affect abandoned uranium mine-site reclamation; however, it can be argued that there has been a significant, positive financial benefit to the government from past leasing activities. That benefit would also continue for all future leasing activities. Additional compensation is made annually to state and local governments via "payments in lieu of taxes" to offset the lack of property tax payments on federal lands.
Concern that 30 days is insufficient time to adequately assess all impacts.	The 30-day scoping period is the public's opportunity to have early input into the issues that should be addressed in the EA. It is not the preparation time needed to perform the analyses nor does it include the public's opportunity to comment on the draft EA.
Public meetings should have been held in other locations such as the east, central, and western regions of the lease areas, or Grand Junction, Montrose, Telluride, and Ridgway and advertised in local media.	Public meetings were held in the center of the lease tract area and near one of the two milling sites and were advertised in the newspapers representing the entire region that could be affected by the proposed actions from Cañon City, Colorado, to White Mesa, Utah.
Request that all lease tracts be evaluated for the presence of Potential Conservation Areas (PCAs) under the Colorado Natural Heritage Program.	Evaluation of the lease tracts and PCAs is provided in Section 4.9.
Successful reclamation is difficult in desert environments.	DOE concurs but notes that past reclamation efforts on lease tracts have been successful in reestablishing native vegetation.
Concern for the visual impact of residual waste rock left on the surface.	Visual impacts of lease tract development are discussed in Section 5.11.
Concern for storm-water management.	DOE lease agreements require the leaseholders to conduct their operations in accordance with applicable federal, state, and local statutes, rules, and regulations, including those associated with storm-water management.
Concern for control of noxious weeds.	The DOE lease agreements require the leaseholders to monitor and control infestations of noxious weeds. DOE has been coordinating weed-control efforts with various county weed programs since 1999. This requirement/coordination of effort would continue for all future leasing activities.
Increased demand on emergency services.	The potential impacts to local infrastructure are discussed in Section 5.1.

Table A-1 (continued). Issues Identified in Scoping

Scoping Issue	Response
Applicability of federal, state, and local laws.	DOE lease agreements require the leaseholders to conduct their operations in accordance with applicable federal, state, and local statutes, rules, and regulations.
Concern about resumption of uranium mining in Moffat County.	DOE has no uranium lease tracts in Moffat County, and the two available options for milling are not in Moffat County; therefore, the proposed actions of this EA have no potential to affect Moffat County.
Concern about the impacts of in situ leach mining.	Leaseholder operations have historically employed conventional mining/extraction techniques. Other proposed technologies, including in situ mining, would require a separate, comprehensive environmental review prior to being approved by DOE.
Workers will not be covered under the Radiation Exposure Compensation Act (RECA).	The commentor is correct in that RECA, Public Law 101-426, covers workers who worked in underground uranium mines located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, and Texas at any time during the period beginning on January 1, 1942, and ending on December 31, 1971. However, based on that past experience, new federal and state standards have been established to protect workers from exposures that would be harmful to their health.
Request that if leases are to be issued, mining companies provide a surety bond to cover reclamation, air monitoring should be required during operations and independently verified, and medical screening should be provided for workers annually.	Surety bonds required by both DOE and the State of Colorado for each mine have been sufficient to cover the costs of reclamation since DOE began managing the program in the 1970s. Air monitoring and reporting is a federal and state requirement of all uranium mine operations in accordance with U.S. Mine Safety and Health Administration (MSHA) regulations. Worker monitoring and medical examinations are the responsibility of mine operators, but they must be in compliance with state and federal worker protection requirements.
Tract 14 is located on the Dolores River and should be withdrawn.	Tract 14 is one of the 38 tracts being evaluated in this EA and its proximity to the Dolores River is noted.
Tracts 26 and 26A have suitable habitat for burrowing owls and should be withdrawn.	Burrowing owls as well as other environmental features are considered in this EA and by DOE in its decision-making.
An Environmental Impact Statement (EIS) should be prepared instead of an EA to assess individual and cumulative impacts.	Consistent with DOE and CEQ NEPA regulations, DOE is preparing this EA, which assesses individual and cumulative impacts, to determine whether a finding of no significant impact (FONSI) is justified or whether an EIS is needed.
An economic assessment of the quality of Colorado's uranium resources compared to other deposits in the world should be generated to determine the sustainability of the business and the ability of the mining companies to perform reclamation.	Assessment of the economic viability of uranium mining in Colorado is the responsibility of the companies that bid for DOE's leases. DOE and state requirements for surety bonds ensure that sufficient funding is available for reclamation.
Past bonding levels were insufficient to reclaim a site. Historical cleanup cost should be used to set bond levels.	Since 1974, DOE's lease agreements have contained provisions requiring the leaseholders to obtain adequate reclamation performance bonds for their operations. The reclamation performance bonds required are, and have historically been, determined on a site-by-site basis. Since 1974, these bonds have been sufficient to ensure that the leaseholders operations are properly reclaimed. That requirement would continue for all future lease activities.
Effects of increased truck traffic on Telluride's tourism, workforce, and safety on Highway 62.	The potential increases in truck traffic volume and projected accident rates are discussed in Section 5.2. Worker and public health effects of transportation are discussed in Section 5.16.

Table A-1 (continued). Issues Identified in Scoping

Scoping Issue	Response
Emergency response times to mine sites and to all segments of the transportation routes.	Because of the remote locations of most lease tracts, mine operators recognize that they bear an added burden to ensure worker safety and are the first responders in the event of an accident. As a consequence of this remoteness, many miles of the transportation routes are also distant from emergency responders. However, as assessed in Section 5.2, the consequences from an accident involving uranium ore would not be appreciably different than those from any other truck accident in this region.
Training of emergency personnel for response to an accident involving radioactive materials.	As discussed in Section 5.16, the relatively low hazard levels associated with uranium ore would not necessitate special training for emergency responders. Hazardous material training is required for emergency responders; no additional training specific to radioactive materials is required for uranium ore shipments.
Concern for surface water quality where streams are adjacent to mines.	With few exceptions, mining operations on DOE lease tracts are located away from existing stream channels, and all mining operations are required to institute controls that are protective of surface waters. Also, when mining operations encounter ground water in sufficient quantity that it must be discharged to the environment, the leaseholder is required to obtain a discharge permit from the State of Colorado and comply with all requirements of that permit, including treating the water for radium or other constituents, if necessary.
Liners used in retention ponds deteriorate when in contact with radioactive materials.	Because there is no processing of uranium ores occurring at the mine sites, with the exception of a few mines requiring dewatering and radium removal before discharging, no lined ponds could be subjected to extended exposure to materials that would experience accelerated deterioration beyond normal design parameters.
Preventive measures required to prevent ground water and surface water contamination. Potential to contaminate drinking water sources.	Most mines are dry; thus, there are no mechanisms for surface or ground water contamination. For those few mines that require dewatering, radium is removed, and the resultant ground water is discharged in accordance with State of Colorado permits.
Radioactive dust releases should be prevented from mines.	DOE lease agreements require the leaseholders to conduct their operations in accordance with applicable federal, state, and local statutes, rules, and regulations, including those associated with air emissions. Section 5.4 discusses air emissions and associated requirements.
Health risks from radon gas should be evaluated.	Health risks to the public and workers are assessed in Section 5.16.
Location of waste disposal from mines, mills, and nuclear power plants.	Mines sites are reclaimed in accordance with state and federal requirements. The two currently operating uranium mills dispose of their wastes onsite in accordance with their NRC licenses. Nuclear power plant wastes are or will be disposed of by waste types at commercial or government-operated waste disposal locations.

Table A-1 (continued). Issues Identified in Scoping

Scoping Issue	Response
How many jobs will be created?	Under ongoing operations at the 13 existing leases, approximately 186 direct jobs are estimated during the projected 10-year leases. For the Expanded Program alternative, approximately 570 jobs would be created during the projected 10-year leases. For the No Action alternative, approximately 60 employees would be required until all operations could be terminated, the sites reclaimed (estimated to require 2 years), and the properties transferred to BLM.
What type of job security will employees be provided and what will the industry give back to the communities?	Uranium mining, like all mineral development, is subject to market forces; thus, job security cannot be ensured. Industry contributions to local communities come from local purchases, sales taxes, housing taxes, and other forms of payments for needed services and materials. Additional compensation is made annually to state and local governments via "payments in lieu of taxes" to offset the lack of property tax payments on federal lands.
How will industry ensure communities will not demise when mines close?	As has been the case in the past, uranium mining, like all mineral development, is subject to market forces. The long-term viability of area communities is dependent on various industries (tourism, ranching, mineral development, etc.) and is not solely dependent on the uranium industry.
What standards are in place to protect workers and the public?	Several agencies have regulatory jurisdiction over activities conducted on or associated with the leasing program, including MSHA and Colorado Departments of Transportation (CDOT) and Natural Resources–Division of Minerals and Geology (CDMG).
What agency is responsible for worker safety and do they have the capacity to monitor all activities?	Employers are responsible for providing a safe work environment for their employees and must monitor that environment in accordance with applicable regulations. For mining, MSHA is the principal regulator. In accordance with the regulations, MSHA personnel perform periodic mine-site inspections.
What measures are in place to avoid downwind issues?	DOE lease agreements require leaseholders to conduct their operations in accordance with applicable federal, state, and local statutes, rules, and regulations, including those associated with air emissions. Typically, lease tract operations are so remote and the density of the materials handled is great enough that there are no downwind issues. However, health effects to the public and workers are assessed in Section 5.16.
What would be the effect on the tax base of the three counties containing mines?	Similar to any other industry that creates jobs within a specific area, lease tract operations will affect the tax base of the respective counties; however, a quantitative analysis of that effect is beyond the scope of this EA.
The economic impact on the local economy, including the impacts on recreational use of the Dolores River and traditional ranching communities.	Mining, ranching, and recreational interests have coexisted within the area containing the Uravan Mineral Belt for decades, each having some economic impact on the local economies. That situation will likely continue regardless of DOE's actions. Recreational use impacts are addressed in Section 5.3.2.
Impacts of mining, milling, transportation, cleanup and recovery, and waste disposal must be addressed.	<p>The impacts of uranium mining on DOE's lease tracts and transportation to the currently available mills are evaluated in this EA.</p> <p>The impacts of uranium milling are assessed as a part of the mills' licensing process by NRC and are beyond the scope of this EA.</p>

Table A-1 (continued). Issues Identified in Scoping

Scoping Issue	Response
Has adequate cleanup of historical uranium mining occurred to warrant new leasing?	All historical (legacy) mine sites on DOE lease tracts have been successfully reclaimed.
DOE's actions must comply with BLM's resource management plans.	DOE works closely with BLM in implementing the leasing program. DOE and the BLM are working on a memorandum of understanding for long-term roles and responsibilities regarding the Uranium Leasing Program.
BLM's draft Resource Management Plan contemplates more protective management of the Dolores River corridor, which conflicts with lease tract 14, and therefore that tract should be withdrawn and others that may affect the potential for the river to be designated wild and scenic and/or are within 2 miles of the river should also be withdrawn.	Section 5.3.2 addresses recreational use impacts, and Section 4.15 discusses wild and scenic river status
Site-specific decision to allow exploration, mining, or milling of uranium should be conducted after completion of an EIS.	The DOE lease agreements require the leaseholders to submit exploration and/or mining plans to DOE for approval. The lease agreements also require the leaseholders to comply with all applicable federal, state, and local statutes, rules, and regulations. Accordingly, the leaseholder may be required to perform additional site-specific environmental surveys and provide the associated documentation to DOE for review. These requirements would continue for future leasing activities should DOE decide to continue with the Uranium Leasing Program.
Local land use and zoning laws should be examined that could limit mining development on adjacent private lands.	DOE's leasing decisions would affect only mining activities on federal lands and do not apply to mining actions on private lands.
DOE must coordinate with state public health agencies.	The Colorado Department of Public Health and Environment was a reviewing agency to DOE's EA in 1995 and will receive a copy of this EA to review as well.